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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17
18 IN RE WELLS FARGO MORTGAGE-
19 BACKED CERTIFICATES
20 LITIGATION

Civil Action No. 09-01376 (SI)

**CONSOLIDATED CLASS ACTION
ECF**

**NOTICE OF WELLS FARGO
DEFENDANTS' AND INDIVIDUAL
DEFENDANTS' MOTION TO DISMISS
THE CONSOLIDATED COMPLAINT**

DATE: January 29, 2010
TIME: 9:00 a.m.
CTRM: 10

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on January 29, 2010 at 9:30 a.m. or as soon thereafter as this matter may be heard, defendants Wells Fargo Asset Securities Corporation and Wells Fargo Bank, N.A. (collectively, the "Wells Fargo Defendants") and David Moskowitz, Franklin Codel, Thomas Neary, and Douglas K. Johnson (collectively, the "Individual Defendants") through their attorneys will move before the Honorable Susan B. Illston, United States District Judge, in Courtroom 10, 19th Floor, 450 Golden Gate Avenue, San Francisco, California, for an order dismissing the Consolidated Complaint with prejudice pursuant to Federal Rules of Civil Procedure 8, 12(b)(1), and 12(b)(6).

This Motion is based on this Notice of Motion, the accompanying Memorandum of Points and Authorities, the Request for Judicial Notice filed herewith, any Reply Memorandum filed in support, all of the papers on file with this Court in this action, and any argument that will be presented at the hearing on this Motion.

DATED: October 30, 2009

MUNGER, TOLLES & OLSON LLP
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By: /s/ David H. Fry
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1 DATED: October 30, 2009

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